

**AN ORDINANCE BY  
PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, CHAPTER 162, ARTICLE II, DIVISION 1, SECTION 162-42, ENTITLED MISCELLANEOUS REQUIREMENTS AND PENALTIES; AND SECTION 162-43, ENTITLED TABLE OF VIOLATIONS, SO AS TO MAKE IT UNLAWFUL FOR DRIVERS OF VEHICLES FOR HIRE TO ENGAGE THE CHILD SAFETY LOCKS ON THE REAR DOORS OF A VEHICLE FOR HIRE UNLESS OTHERWISE DIRECTED, TO ESTABLISH PENALTIES THEREFOR; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has an interest in maintaining the health, safety and welfare of the citizens of the City of Atlanta and its visitors; and

**WHEREAS**, pursuant to its police powers the City of Atlanta is authorized to enact legislation to regulate certain businesses and industries which could potentially affect the public health, safety, and welfare including those businesses which relate to Vehicles for Hire; and

**WHEREAS**, City of Atlanta Code of Ordinances § 162-27 sets forth that Chapter 162, Article II shall apply to all vehicles for hire for which a permit has been issued; and

**WHEREAS**, automobile manufacturers routinely build "child safety locks" into sedans, sports utility vehicles, and vans in order to prevent children from opening the doors during transit; and

**WHEREAS**, these locks are engaged via a switch which may be engaged by the driver, and when these locks are engaged, the passenger doors cannot be opened from the inside; and

**WHEREAS**, to engage these "child safety locks" is a danger to the vehicle for hire riding public's safety as in the event of an accident or other emergency, the passenger would not be able to exit the vehicle without assistance from the driver; and

**WHEREAS**, the Bureau of Taxicabs and Vehicles for Hire has received a complaint from a vehicle for hire customer that they were not able to exit the vehicle when they

arrived at their destination without the driver allowing them to do so due to the “child safety lock” being engaged; and

**WEHREAS**, nothing currently in the City of Atlanta Code of Ordinances addresses this practice; and

**WHEREAS**, it is therefore the desire of the City of Atlanta that vehicle for hire drivers be prohibited from engaging the “child safety locks” on their vehicles while transporting passengers for hire.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:**

**Section 1:** That Chapter 162, Article II, Division 1, Section 162-42, of the City of Atlanta Code of Ordinances, entitled “[m]iscellaneous requirements and penalties,” be amended to add a new subsection (r) which shall read as follows:

Sec. 162-42. Miscellaneous requirements and penalties.

**(r) It shall be unlawful for any driver to engage the child safety locks on their vehicles while transporting passengers for hire unless so directed by their passengers; it shall be otherwise unlawful to prevent passengers from being able to exit the vehicle without assistance from the driver.**

**Section 2:** That Chapter 162, Article II, Division 1, Section 162-43, of the City of Atlanta Code of Ordinances, entitled “[t]able of violations,” be amended such that it shall read as follows:

Sec. 162-43. Table of violations.

TABLE OF FINES AND DISCIPLINE  
GENERAL

*Offense:*

Section 162-78(a)(1), trip sheets.

Section 162-78(a)(2), dress code.

Section 162-81, change of company.

Section 162-36(a), (c), information displayed on exterior and interior of cab.

Section 162-34(c)(2)c., failure to provide air conditioning.

Section 162-38, failure to meet interior requirements.

Section 166-42(k), failure to have inspection sticker, correction slip, insurance sticker.

Section 162-42(p), seating capacity. Section 162-41, map.

Section 162-61(a), age limitations.

Section 162-34(c)(2)(b), interior requirements (other than failure to have two-way communication).

*Fine:*

First offense, \$25.00.

Second offense, \$50.00.

Third offense, \$75.00.

Fourth offense, \$100.00.

Subsequent offenses, over \$100.00.

APPEARANCE REQUIRED BEFORE HEARING PANEL ONLY  
ON THIRD OFFENSE WITHIN A YEAR

*Offense:*

Section 162-99(2), company office, employee, and facilities requirements.

Section 162-117, use of taxicab stands, including line jumping.

Section 162-34(c)(2)b., failure to have two-way communication.

*Fine:*

First offense, \$50.00.

Second offense, \$75.00.

Third offense, \$100.00.

Subsequent offenses, over \$100.00.

APPEARANCE REQUIRED BEFORE HEARING PANEL

*Offense:*

Section 162-42(d), refusing a trip.

Section 162-42(b), (h), (j), failure to cooperate; abusing a passenger; overcharge; not taking most direct route

*Fine:*

First offense, \$75.00.

Second offense, \$100.00.

Third offense, \$125.00.

Subsequent offenses, over \$125.00.

APPEARANCE REQUIRED BEFORE HEARING PANEL

*Offense:*

Section 162-42(f), failure to have insurance.

*Fine:* \$500.00.

## APPEARANCE REQUIRED BEFORE HEARING PANEL

### *Offense:*

Section 162-61(a), exceeding age limitations for taxicabs.

**Section 162-42(r), use of child safety lock or prevention of passenger from exiting vehicle (*applicable only to Taxicab drivers*).**

### *Fine:*

### *CPNC holder:*

First offense, \$250.00 fine, verbal reprimand.

Second offense, \$250.00 fine, 30-day suspension of CPNC.

Third offense, \$500.00 fine, 90-day suspension of CPNC up to revocation of CPNC.

### *Taxicab driver:*

First offense, \$250.00 fine, car towed, verbal reprimand.

Second offense, \$250.00 fine, 30-day suspension of permit.

Third offense, \$500.00 fine, 90-day suspension of permit up to revocation of permit.

## CORRECTIONS AND RELATED MATTERS

### TABLE INSET:

Information to be Displayed		Time Given for Corrections
	Company sign not properly affixed	Three days, or next inspection date
	CPNC not placed correctly	Three days, or next inspection date
	Phone number or rate signs not properly located	Three days, or next inspection date
<i>Taximeter</i>		Meter passes between 55 and 65 seconds
	Meter is fast--6 seconds or more	Do not operate
	Meter is slow--6 seconds or more	Do not operate
<i>Mechanism that must be operable</i>		Three days or next inspection
Interior light or electrical problem		Three days or next inspection

	(1)	Headlights (one beam)	Three days or next inspection
	(2)	Taillights (one side)	Three days or next inspection
	(3)	Signal lights (one) tag light	Three days or next inspection
	(4)	Both signals not operable	Do not operate
	(5)	Brake lights	Do not operate
	(6)	Door opener (handles)	Do not operate
Climate control			Do not operate
	(1)	Air conditioner (summer time) Does not cool	Do not operate
	(2)	Heater will not warm up (winter time)	Do not operate
	Loud muffler		Next inspection date
	Trunk lock		Next inspection date
Tires			
	(1)	Balding tires	Next inspection date
	(2)	Balding with thread showing	Do not operate
Windshield cracks			
	(1)	Cracks 12 inches or more	15 days to replace
	(2)	Unattractive, or safety hazard	Do not operate
	(3)	Overall paint job	15 days
	(4)	Headliner	15 days
Spare tire			

	(1)	No spare tire in trunk	Do not operate
	(2)	Bald and improper thread	Do not operate
	(3)	Spare tire not inflated	Have driver inflate right away
<i>Interior light or electrical problem:</i>			
	(7)	2-way communication	Do not operate
	(8)	No hands free device	3 days or next inspection

**Section 3:** This ordinance shall take effect immediately upon adoption.

**Section 4:** Should it be found that any ordinance or parts of any ordinance are in conflict herewith, then those sections contained herein shall be deemed controlling.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel: s/Amber A. Robinson

Contact Number: 404-330-6494

Originating Department: Atlanta Police Department

Committee(s) of Purview: Public Safety and Legal Administration

Council Deadline: Cycle 14

Anticipated Committee Meeting Date(s): Sept. 1 and Sept. 15, 2009

Anticipated Full Council Date: September 21, 2009

Commissioner Signature D/C George N. Turner

Chief Procurement Officer Signature N/A

CAPTION

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, CHAPTER 162, ARTICLE II, DIVISION 1, SECTION 162-42, ENTITLED MISCELLANEOUS REQUIREMENTS AND PENALTIES; AND SECTION 162-43, ENTITLED TABLE OF VIOLATIONS, SO AS TO MAKE IT UNLAWFUL FOR DRIVERS OF VEHICLES FOR HIRE TO ENGAGE THE CHILD SAFETY LOCKS ON THE REAR DOORS OF A VEHICLE FOR HIRE UNLESS OTHERWISE DIRECTED, TO ESTABLISH PENALTIES THEREFOR; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by CPO:

(date)

Received by LC from CPO:

(date)

Received by Mayor's Office:

(date)

Reviewed by:

(date)

Submitted to Council:

(date)